

NEBRASKA DRIVING UNDER THE INFLUENCE (DUI) LAW

Alcohol BAC Level .08 to .149

First Offense – Class W Misdemeanor (§ 28-106 & § 60-6,197.03(1))

Maximum: 60 days in jail
6 months license revocation
\$500 fine

Mandatory Minimum: 7 days in jail
6 months license revocation
\$500 fine

If Probation: The court requires the person to apply for ignition interlock.
60 day license revocation
\$500 fine
The court requires the person to apply for ignition interlock.

Second Offense – Class W Misdemeanor (§ 28-106 & § 60-6,197.03(3))

Maximum: 6 months in jail
18 months license revocation
\$500 fine

Mandatory Minimum: 30 days in jail
18 months license revocation
\$500 fine

If Probation: The court requires the person to apply for ignition interlock after 45 days.
10 days in jail or not less than 240 hours of community service
18 months license revocation
\$500 fine
The court requires the person to apply for ignition interlock after 45 days.

Third Offense – Class W Misdemeanor (§ 28-106 & § 60-6,197.03(4))

Maximum: 1 year in jail
15 year license revocation
\$1,000 fine

Mandatory Minimum: 90 days in jail
15 years license revocation
\$1,000 fine

If Probation: The court requires the person to apply for ignition interlock after 45 days.
10 days in jail or not less than 240 hours of community service
18 months license revocation
\$500 fine
The court requires the person to apply for ignition interlock after 45 days.

NEBRASKA DRIVING UNDER THE INFLUENCE (DUI) LAW

Alcohol BAC Level .15 or Higher

First Offense – Class W Misdemeanor (§ 28-106 & § 60-6,197.03(2))

Maximum:	60 days in jail 1 year license revocation \$500 fine
Mandatory Minimum:	7 days in jail 1 year license revocation \$500 fine
If Probation:	The court requires the person to apply for ignition interlock. 2 days in jail or not less than 120 hours of community service 1 year license revocation or impoundment \$500 fine The court requires the person to apply for ignition interlock.

Second Offense – Class I Misdemeanor § 28-106 & § 60-6,197.03(5)

Maximum:	1 year in jail 15 year license revocation \$1,000 fine
Mandatory Minimum:	90 days in jail 18 months license revocation \$1,000 fine
If Probation:	30 days in jail 18 months license revocation \$1,000 fine The court requires the person to apply for ignition interlock after 45 days.

Third Offense – Class IIIA Felony (§ 28-106 & § 60-6,197.03(6))

Maximum:	5 year in jail 15 year license revocation \$10,000 fine
Mandatory Minimum:	180 days in jail 15 year license revocation
If Probation:	60 days in jail 5-15 years license revocation \$1,000 fine The court requires the person to apply for ignition interlock after 45 days.